

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION (DAYTON)**

UNITED STATES OF AMERICA,	:	Case No. 3:24-cr-00062
	:	
Plaintiff,	:	District Judge Walter H. Rice
	:	Magistrate Judge Caroline H. Gentry
vs.	:	
	:	
LASHAWN MCCLURKIN,	:	
	:	
Defendant.	:	

**DECISION & ORDER DENYING PLAINTIFF’S
MOTION FOR PRETRIAL DETENTION (DOC. 4)**

This case came before the Court on Plaintiff’s Motion for Pretrial Detention (Doc. 4), in which the Government seeks an order detaining Defendant LaShawn McClurkin (“Defendant”) without bond pending trial under the Bail Reform Act of 1984, 18 U.S.C. § 3142. The Court held a detention hearing after reviewing the Pretrial Services report, which recommends that Defendant be released with certain conditions. Notably, counsel for the Government agreed with the recommendation of Pretrial Services and did not offer any argument in favor of pretrial detention.

Accordingly, based upon the Pretrial Services report and recommendation, and in view of the Government’s changed position with regard to its request for detention, the Court finds that conditions of release are available that will reasonably assure both the Defendant’s appearance as required by the Court and the safety of other persons and the community. Therefore, the Motion for Pretrial Detention is DENIED.

IT IS SO ORDERED.

/s/ Caroline H. Gentry
Caroline H. Gentry
United States Magistrate Judge

Any party may file and serve on the opposing party a motion for revocation or amendment of this Order with a United States District Judge. 18 U.S.C. § 3145(a). A defendant who files a motion for revocation or amendment must arrange for a transcript of the detention hearing. This Order is in full force and effect, notwithstanding the filing of a motion for revocation or amendment, unless it is stayed by the Magistrate Judge or District Judge.